

## APPENDIX.

## Petitions and Memorials.

Senator Westbrook sent up a petition from the Parent-Teachers Association of Whitewright, Texas, favoring the adoption of the tobacco tax.

Senator Westbrook sent up petitions from Cora Fuller, Latitia Fuller, and Allie Reese, of Brenham, Texas; Goldie Culpepper of Honey Grove, Texas; and Mrs. J. W. Owen of Rowenna, Texas, favoring the tobacco tax.

Senator Love sent up two petitions signed by numerous citizens of Dallas County opposing the tobacco tax.

El Paso Public Schools

El Paso, Texas

El Paso High School

Office of the Principal.

May 13, 1927.

To Governor Moody, Lieutenant Governor Barry Miller, Hon. R. L. Bobbitt, Speaker of the House, and all members of the Fortieth Legislature.

Ladies and Gentlemen:

I have on my desk a lengthy bulletin addressed to you and signed by R. T. Ellis, Secretary of the Texas State Teachers' Association. Attached to this bulletin is a letter from Mr. Ellis to the effect that I should join him and others in urging you to fight for a minimum appropriation of fifteen dollars per capita.

Permit me to state in answer to this bulletin and this personal appeal that I do not deem it necessary for such a fight to be waged with you at this time as I am perfectly confident that you are going to do everything within your power for the best of the schools of Texas. I consider the bulletin addressed to you altogether out of place and a reflection on your sincerity to do for Texas what should be done educationally.

Yours truly,

(Signed) LYNN B. DAVIS,  
Principal of High School.

(Copy.)

To Thomas B. Love, State Senator; John E. Davis, John A. Rawlins, Nathaniel Jacks, George Purl, Ray Holder, and Chas. McCombs—Representatives from Dallas County in the Texas Legislature.

Gentlemen:

The undersigned Dallas County citizens respectfully petition you to

support the enactment by the coming called session of the Legislature of an amendment to the Dallas County Road Law which will require that three-fourths of all the funds, other than the proceeds of the sale of bonds, coming in to the road and bridge fund of Dallas County shall be used in the reconstruction and repair of lateral roads leading in to the cardinal and intermediate roads of the county, until all such lateral roads shall be put in condition reasonably safe for travel in all kinds of weather, similar to the Dallas County Road Law passed by the recent Regular Session of the Legislature and vetoed by the Governor.

We believe that it is only reasonable and fair and just to the Dallas County citizens living on dirt roads, who for many years have been paying taxes to build and maintain the cardinal and intermediate roads and other paved roads of the county, that they should be given this recognition, as we feel that the time has come when it is justly due them.

(Signed) W. P. White, Mrs. W. P. White, J. L. Janes, T. W. Brackett, Mrs. T. W. Brackett, J. F. Crumpley, Jack Andrews, Frank Ellis, D. M. Lander, D. D. Duckworth, F. D. Duckworth, W. A. Wade, W. H. Bailey, H. A. Moser, J. O. Anderson, J. B. Dupree, C. O. Wade, Edd Wade, Mrs. C. C. McDearman, Ed Castiel, Jake Duckworth, G. R. Kearney, Hugh H. Anderson, L. R. Vaughn, Mrs. Marie Anderson Vaughan, L. A. Vaughan, Mrs. L. A. Vaughan.

## SEVENTH DAY.

Senate Chamber,

Austin, Texas,

May 18, 1927.

The Senate met at 10 o'clock a. m. pursuant to adjournment, and was called to order by Lieutenant Governor Barry Miller.

The roll was called, a quorum being present, the following Senators answering to their names:

Berkeley.	Lewis.
Bledsoe.	Love.
Fairchild.	McFarlane.
Floyd.	Miller.
Greer.	Moore.
Hall.	Neal.
Hardin.	Pollard.
Holbrook.	Price.

Real.	Westbrook.
Reid.	Wirtz.
Russek.	Witt.
Smith.	Wood.
Stuart.	Woodward.
Triplett.	

Absent.

Bailey.	Bowers.
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Absent—Excused.

Parr.	Ward.
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Prayer by the Chaplain.

Pending the reading of the Journal of yesterday, the same was dispensed with on motion of Senator Woodward.

#### Petitions and Memorials.

(See Appendix.

#### Committee Reports.

(See Appendix.

#### Bills and Resolutions.

By Senator Love:

S. B. No. 15. A bill to be entitled "An Act making an appropriation for the survey of the Davis Mountains State Park Highway in the Davis Mountains of Texas, to be a part of the system of State Highways and providing that State convicts may be utilized in the construction of said Highway, and declaring an emergency."

Read first time and referred to Committee on Finance.

By Senator Fairchild:

S. B. No. 16. A bill to be entitled "An Act making an appropriation of the sum of \$31,409.85, or so much thereof as may be necessary, payable out of the General Revenue not otherwise appropriated, and appropriating all other current revenue, or so much thereof as may be necessary, to be derived from the operation of the Texas State Railroad until August 31, 1927, and to be deposited in the State Treasury; said appropriation being for the traveling, clerical and other expenses of the Board of Managers, and all other expenses connected with the sale and maintenance, operation or lease of said railroad, and being for the period up to and including August 31, 1927; and declaring an emergency."

#### Senate Bill No. 4.

The question recurred upon the second reading of S. B. No. 4.

Senator Wirtz sent up the following amendment to the pending amendment:

Amend the pending amendment by adding after the word "money," line 1 of the amendment, the following: "except money appropriated for salaries."

The amendment was adopted.

Senator Lewis sent up the following substitute for the pending amendment as amended:

Substitute for Pending Amendment.

By Senators Lewis, Moore:

Amend S. B. No. 4, page 65, by adding a new paragraph between lines 18 and 19 to read as follows:

"Provided no money appropriated under this bill for travelling expense, postage, stationery or printing shall be used to forward, aid, hinder, pass or defeat any legislative measure, or for the discussion of any political issue; and before any part of said sum or sums shall be paid hereunder the person drawing such sum or sums, or any part thereof, shall make an affidavit that he has not directly, or indirectly, used any part of such sum or sums for any purpose herein prohibited."

The substitute was read.

On request of Senator Wirtz, Senator Lewis', amendment was substituted for the amendment as amended.

Senator Love sent up the following amendment to the amendment:

Amend the amendment by striking out all after and including the words "and before."

The amendment was read.

Senator Wood moved to table the amendment to the amendment. The motion prevailed by the following vote:

Yeas—25.

Bailey.	McFarlane.
Berkeley.	Miller.
Bledsoe.	Moore.
Fairchild.	Neal.
Floyd.	Pollard.
Greer.	Price.
Hall.	Reid.
Hardin.	Russek.
Lewis.	Smith.

Stuart. Witt.  
Triplett. Wood.  
Westbrook. Woodward.  
Wirtz.

Nays—2.

Holbrook. Love.

Absent—Excused.

Bowers. Real.

Absent—Excused.

Parr. Ward.

Senator Wood moved to table the amendment by Senator Lewis. The motion was lost by the following vote:

Yeas—11.

Berkeley. Reid.  
Floyd. Smith.  
Greer. Triplett.  
Holbrook. Witt.  
Love. Wood.  
Price.

Nays—15.

Bailey. Neal.  
Fairchild. Pollard  
Hall. Russek.  
Hardin. Stuart.  
Lewis. Westbrook.  
McFarlane. Wirtz.  
Miller. Woodward.  
Moore.

Absent.

Bledsoe. Real.

Absent—Excused.

Bowers. Ward.

Parr.

Senator Witt sent up the following amendment to the pending amendment:

Amendment No. 32, S. B. No. 4.

Amend the pending amendment by striking from said amendment the words beginning with "Provided" and ending with the words "political issue," and substitute the following:

"Provided no money appropriated by this bill for travelling expenses, postage, stationery or printing, shall be used to forward, aid, discuss or defeat the candidacy of any person for an appointment to any public office."

The amendment was read.

## Senate Concurrent Resolution No. 2.

Senator McFarlane sent up the following resolution:

By Senator McFarlane:

Whereas, We have recently had several terrible storms, cyclones and tornadoes in Texas, and

Whereas, as a result of said storms, etc., there has been thousands in property destroyed and many lives lost and many homes and families and persons placed in need; and

Whereas, The House has challenged the Senate to a baseball game, the funds derived therefrom to go exclusively to Texas flood sufferers;

Therefore, be it resolved that the Senate, the House concurring, urgently request that all State Departments shall declare a half holiday for Wednesday, May 18, and that all departmental heads and employees be requested to attend said ball game.

The resolution was adopted.

## Senate Bill No. 4.

Senator Bailey moved the previous question. The previous question was ordered.

The question recurred upon the amendment to S. B. No. 4 offered by Senator Witt. The amendment was adopted by the following vote:

Yeas—14.

Berkeley. Smith.  
Floyd. Triplett.  
Holbrook. Westbrook.  
Greer. Witt.  
Love. Wood.  
Price. Woodward.  
Reid.

Nays—13.

Bailey. Moore.  
Fairchild. Neal.  
Hall. Pollard.  
Hardin. Russek.  
Lewis. Stuart.  
McFarlane. Wirtz.  
Miller.

Absent.

Bledsoe. Real.

Bowers.

Absent—Excused.

Parr. Ward.

The Amendment as amended was adopted by the following vote:

## Yeas—20.

Bailey.	Neal.
Berkeley.	Pollard.
Floyd.	Price.
Greer.	Reid.
Hardin.	Smith.
Holbrook.	Westbrook.
Lewis.	Wirtz.
Love.	Witt.
McFarlane.	Wood.
Miller.	Woodward.

## Nays—5.

Fairchild.	Stuart.
Hall.	Triplett.
Moore.	

Present—not Voting.

Russek.

## Absent.

Bledsoe.	Real.
Bowers.	

Absent—Excused.

Parr. Ward.

The bill was passed to engrossment. Senator Wirtz moved to reconsider the vote by which the bill was passed to engrossment. Senator Wood moved to table the motion.

The motion to table prevailed by the following vote:

## Yeas—14.

Berkeley.	Price.
Bledsoe.	Reid.
Floyd.	Smith.
Greer.	Westbrook.
Hall.	Witt.
Holbrook.	Wood.
Love.	Woodward.

## Nays—12.

Bailey.	Moore.
Fairchild.	Neal.
Hardin.	Pollard.
Lewis.	Russek.
McFarlane.	Stuart.
Miller.	Wirtz.

## Absent.

Parr. Ward.

Absent—Excused.

Real.

(Pairs Recorded.)

Senator Triplett (present), who would vote yea; Senator Bowers (absent), who would vote nay.

On motion of Senator Wood, the constitutional rule requiring bills to

be read on three several days was suspended and S. B. No. 4 put on its third reading and final passage, by the following vote:

## Yeas—25.

Bailey.	Pollard.
Berkeley.	Price.
Bledsoe.	Reid.
Fairchild.	Russek.
Floyd.	Smith.
Greer.	Stuart.
Hall.	Triplett.
Hardin.	Westbrook.
Holbrook.	Wirtz.
Lewis.	Witt.
Love.	Wood.
Miller.	Woodward.
Neal.	

## Nays—2.

McFarlane. Moore.

## Absent.

Bowers. Real.

Absent—Excused.

Parr. Ward.

Senator Holbrook sent up the following amendment:

Amend S. B. No. 4 by reinstating line 12, page 24, of the bill.

On motion of Senator Bailey, the previous question on the amendment and final passage of the bill was ordered.

The amendment was lost by the following vote:

## Yeas—12.

Bledsoe.	Price.
Greer.	Reid.
Hall.	Smith.
Holbrook.	Triplett.
Lewis.	Wood.
Love.	Woodward.

## Nays—13.

Bailey.	Moore.
Berkeley.	Neal.
Fairchild.	Pollard.
Floyd.	Russek.
Hardin.	Stuart.
McFarlane.	Wirtz.
Miller.	

## Absent.

Bowers. Witt.  
Westbrook.

Absent—Excused.

Parr. Ward.  
Real.

The bill was read third time and passed finally by the following vote:

Yeas—20.

Bailey.	Price.
Berkeley.	Reid.
Bledsoe.	Russek.
Greer.	Smith.
Hall.	Triplett.
Hardin.	Wirtz.
Lewis.	Witt.
Love.	Wood.
Miller.	Woodward.
Neal.	

Nays—5.

Floyd.	Moore.
Holbrook.	Pollard.
McFarlane.	

Absent.

Parr.	Ward.
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Absent—Excused.

Bowers.	Stuart.
Fairchild.	Westbrook.
Real.	

Adjournment.

On motion of Senator Bailey, the Senate, at 12:35 o'clock p. m., adjourned until 10 o'clock a. m., Thursday.

## APPENDIX.

### Petitions and Memorials.

Senator Love sent up a petition, numerously signed, urging the appropriation of \$50,000 for the school for delinquent negro girls.

Senator Love sent up a petition, numerously signed, urging the enactment of an amendment to the Dallas County road law.

Senator Westbrook sent up a petition, numerously signed, against the Civil Service Bill.

Mt. Enterprise, Texas,  
May 17, 1927.

Miss Margie Neal,  
Senator Second District,  
Austin, Texas.

Dear Miss Neal:

Mt. Enterprise school board instructs me to write you and ask that you use your vote and influence to prevent cut in appropriation for public schools.

Very truly,

L. G. ROSS,  
President School Board.

## EIGHTH DAY.

Senate Chamber,

Austin, Texas, May 19, 1927.

The Senate met at 10 o'clock a. m. pursuant to adjournment, and was called to order by Lieutenant Governor Barry Miller.

The roll was called, a quorum being present, the following Senators answering to their names:

Bailey.	Moore.
Berkeley.	Neal.
Bledsoe.	Parr.
Bowers.	Pollard.
Fairchild.	Price.
Floyd.	Reid.
Greer.	Smith.
Hall.	Stuart.
Hardin.	Triplett.
Holbrook.	Ward.
Lewis.	Westbrook.
Love.	Wirtz.
McFarlane.	Witt.
Miller.	Wood.

Absent.

Russek.	Woodward.
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Absent—Excused.

Real.

Prayer by the Chaplain.

Pending the reading of the Journal of yesterday, the same was dispensed with on motion of Senator Hall.

### Petitions and Memorials.

(See Appendix.)

### Committee Report.

(See Appendix.)

### Committee on McArdle Heirs.

Senator Bailey sent up the following special committee report from the committee appointed to investigate who were the McArdle heirs.

Committee Room,

Austin, Texas, May 18, 1927.

Hon. Barry Miller, President of the Senate.

Sir: We, your committee appointed under Senate Simple Resolution No. 63, and instructed to ascertain who are the heirs, legatees or other legal representatives of the estate of H. A. McArdle, deceased, and in whom legal title to those paintings now hanging on the walls